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Attorney Docket No. 21349/10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

APPLICANT: Jean-Louis Escary

APPLICATION NO.: 10/087,325

GROUP ART UNIT: 1653

FILED: March 1, 2002

EXAMINER: Unknown

FOR:

Polynucleotides and Polypeptides of the Interferon Alpha-2 Gene

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner of Patents, Washington, D.C. 20231 on:

By: Deborah Celeste
Deborah Celeste

June 5, 2002
Date

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. X Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. _____ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. _____ The following additional information is provided for the Examiner's consideration:

FEESIV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)
(check one box)

- a. _____ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. _____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. X before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. _____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. . § 1.17(p).
- or
- b. _____ See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. ☐ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

☐ Please charge Deposit Account No. 500369 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

☒ No fee is required.

VII. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.704(d) (PATENT TERM ADJUSTMENT)

Applies to original applications (other than design) filed on or after May 29, 2000

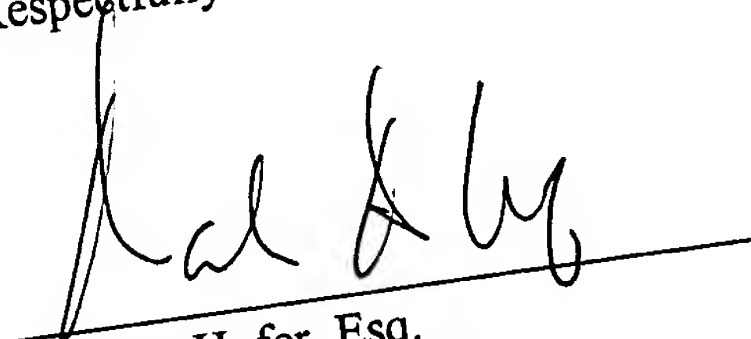
- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed.
 - ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☒ The listed references marked with an "*" were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☒ The "concise explanation" requirement (non-English references) for reference EP 0 236 920 A2 under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☒ the enclosed English language abstract.

10/087,325

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 500369.

Date: 6/5/02

Respectfully submitted,



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**FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT**

ATTY DOCKET NO.
21349/10

SERIAL NO.
10/087,325

APPLICANT(S): Escary, Jean-Louis

FILING DATE:
March 1, 2002

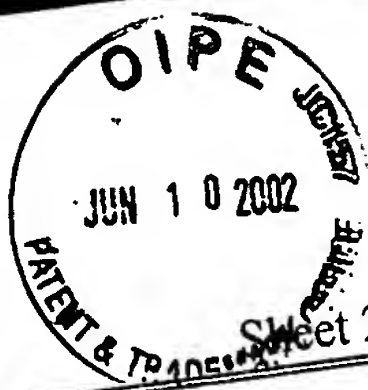
ART UNIT:
1653

UNITED STATES PATENT DOCUMENTS

EXAM. INITIAL	DOCUMENT NUMBER	DATE	INVENTOR	CLASS	SUB CLASS	FIL. DATE IF APPR
AA	4,816,566	Mar 28 1989	DeChiara, et al.	530	351	
AB	4,820,638	Apr 11 1989	Swetly, et al.	435	68	
AC	4,917,887	Apr 17 1990	Hauptmann, et al.	424	85.7	
AD	4,780,530	Oct 25 1988	Teraoka, et al.	530	351	
AE	4,748,233	May 31 1988	Sloma	530	351	
AF	4,751,287	Jun 14 1988	Berzin, et al.	530	351	
AG	4,801,685	Jan 31 1989	Goeddel, et al.	424	85.7	
AH	4,885,166	Dec 5 1989	Meyer, et al.	436	123	
AI	4,678,756	Jul 7 1987	Parks	435	68	
AJ	4,810,645	Mar 7 1989	Goeddel, et al.	424	134.1	
AK	5,723,125	Mar 3 1998	Chang, et al.	260	112.5	
AL	4,414,150	Nov 8 1983	Goeddel	435	68	
AM	4,615,974	Oct 7 1986	Kingsman, et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN Y/N
BA	EP 0 194 006 A1	Jan 17 1986	EPO	C07K	15/26	Y
BB	EP 0 141 484 A2	Jun 5 1984	EPO	C12N	15/00	Y
BC	EP 0 062 971 A2	Mar 15 1982	EPO	C12N	15/00	Y
BD	EP 0 032 134 A2	Jan 7 1981	EPO	C12N	15/00	Y
BE	EP 0 128 467 A1	May 30 1984	EPO	C07C	103/52	Y
Examiner:			Date:			



Sheet 2 of 2

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APPLICANT(S): Escary, Jean-Louis

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN Y/N
				C12N	15/00	Y
			EPO	C12N	15/00	Y
			UK	C12N	15/00	Y
			EPO	C12P	19/34	Y
			WO	C12N	15/00	Y
			WO	C07K	15/00	Y
			EPO	C12N	15/00	Y
			WO	C12N	15/57	Y
			WO	C12N	15/00	Y (Abstract Only)
			EPO			
BF	EP 0 073 635 A2	Aug 24 1982				
BG	GB 2 079 291 A	Jul 1 1981				
BH	EP 0 051 873 A2	Nov 9 1981				
BI	WO 83/04053	Apr 25 1983				
BJ	WO 83/02459	Jan 11 1983				
BK	EP 0 553 494 A1	Dec 29 1992				
BL	WO 83/02458	Jan 11 1983				
BM	WO 01/11056 A1	Aug 7 2000				
BN	EP 0 236 920 A2	Mar 4 1987				

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

*	CA	Lee, N., et al., "Interferon- α_2 Variants in the Human Genome," Journal of Interferon and Cytokine Research 15:341-349 (1995), XP-001016231.
*	CB	Kita, M., et al., "Determination of Interferon- α_2 Allele Composition in the Genomic DNA from Healthy Volunteers and Leukemic Patients in Japan," Journal of Interferon and Cytokine Research 17:135-140 (1997) XP-001016233.
*	CC	Piehler, J., et al., "Fast Transient Cytokine-Receptor Interactions Monitored in Real Time by Reflectometric Interference Spectroscopy," Analytical Biochemistry 289, 173-186 (2001), XP-002185474.
*	CD	Piehler, J., et al., "Mutational and Structural Analysis of the Binding Interface Between Type I Interferons and their Receptor Ifnar2," J. Mol. Biol. (1999) 294, 223-237, XP-002185475.

Examiner:

Date: